

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MICHAEL D. STOKES

Plaintiff,

vs.

GREGORY F. X. DALY, Collector
of Revenue, City of St. Louis
Serve: Gregory F.X. Daly
1200 Market Street, City Hall
Room 110
St. Louis, MO 63103

Defendant.

Cause No.:

JURY TRIAL DEMANDED

COMPLAINT

For his causes of action, plaintiff, Michael D. Stokes, states:

COUNT I-BREACH OF CONTRACT

For Count I, plaintiff states:

1. At all times herein, plaintiff Michael Stokes was an attorney, licensed in the State of Missouri and, for approximately thirty-five years, represented the Collector of Revenue.
2. Michael Stokes is a citizen of the State of Michigan.
3. Defendant Gregory F. X. Daly is the current Collector of Revenue for the City of St. Louis and at all times herein acted in his official capacity and by and through his agents and employees in the course and scope of their agency and employment.
4. Defendant is a citizen of the state of Missouri.
5. This Court has jurisdiction of this matter because there is a diversity of

citizenship and the amount in controversy exceeds \$75,000.00.

6. Plaintiff and defendant entered into an agreement in which plaintiff would represent the Collector of Revenue in all causes of action brought by the Collector of Revenue for the collection of delinquent personal property taxes.
7. Pursuant to Mo. Rev. Stat. §140.740.2, defendant had a duty to collect for plaintiff an amount that was ten percent of the taxes collected that arose from the accounts for which plaintiff was the attorney representing defendant and filed the collection lawsuit for the unpaid personal property taxes for that account.
8. Plaintiff fully performed under the agreement.
9. In 2017, plaintiff filed all of the tax delinquency lawsuits for defendant's accounts that were in arrears for 2016.
10. Further, in 2017, plaintiff took judgments that were in default for files that plaintiff had filed in 2015.
11. In 2018, defendant wished to retain a different attorney.
12. In 2018, defendant terminated plaintiff's contract after plaintiff had filed over 800 lawsuits the prior year for the 2017 delinquent accounts.
13. Despite plaintiff having filed, litigated and managed the lawsuits for those accounts, defendant paid plaintiff's attorney fees to defendant's new attorney, who did not earn the fees.
14. Under the agreement and Missouri Statute, defendant was obligated to pay plaintiff for the attorney fees collected on lawsuits filed in 2017 and

earlier.

15. Defendant's actions and failure to pay plaintiff were in breach and violation of the agreement and Missouri law.
16. Such attorney fees exceeded \$75,000.00.
17. Plaintiff made demand for the attorney's fee and defendant refused.
18. Plaintiff was damaged thereby.

WHEREFORE, plaintiff Michael D. Stokes prays for Judgment in his favor and against defendant Gregory F.X. Daly, Collector of Revenue, in such amount as exceeds the minimum jurisdiction of this Court as he is due under the agreement and for such other and further relief as this Court deems just and necessary.

COUNT II-QUANTUM MERUIT

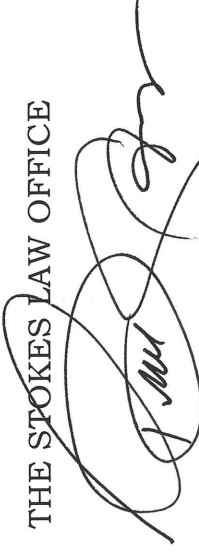
For Count II of his causes of action, plaintiff states:

17. By reference, plaintiff incorporates paragraphs one through sixteen as if fully set out herein.
18. Through 2017, plaintiff provided essential legal services to defendant and at defendant's request.
19. Plaintiff's legal services had a reasonable value for attorney, paralegal and secretarial services.
20. Defendant has failed to pay the reasonable value of plaintiff's services.
21. Plaintiff made demand for payment and defendant has refused.
22. Plaintiff has been damaged thereby.

WHEREFORE, plaintiff Michael D. Stokes prays for Judgment in his favor and against defendant Gregory F.X. Daly, Collector of Revenue, in such fair and

reasonable amount as exceeds the minimum jurisdiction of this Court and for such other and further relief as this Court deems just and necessary.

THE STOKES LAW OFFICE

A handwritten signature in black ink, appearing to read 'B. Stokes', is written over the firm name and address.

Brian Stokes, #31035/MO43496
133 S. 11th Street, Suite 350
St. Louis, Missouri 63102
(314) 621-6969; Phone
(314) 231-9552; Facsimile
stokeslawoffice@yahoo.com
Attorneys For Plaintiff